

**MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
MAY 20, 2003  
7:00 P.M.**

**ROLLCALL** Answering rollcall were Members Housh, Hovland, Masica and Mayor Maetzold. Member Kelly entered the meeting at 7:35 P.M. and stepped out of the meeting between 8:20 P.M. and 8:40 P.M.

**CONSENT AGENDA ITEMS APPROVED** Motion made by Member Housh and seconded by Member Masica approving the Council Consent Agenda as presented with the exception of Agenda Item VII.A. Receive Petition - Noise Abatement on Highway 62 from 6301 Colonial Court to 6327 Valley View Road.

Rollcall:

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

**RESOLUTION NO. 2003-38 - PROCLAIMING EMERGENCY MEDICAL SERVICES WEEK OF MAY 18 - 24, 2003** Mayor Maetzold proclaimed Emergency Medical Services Week of May 18-24 and encouraged all residents to recognize the valuable contributions made by Medical Service Providers to the health and well-being of Edina's residents.

**Member Housh introduced the following Resolution and moved its adoption:**

**A PROCLAMATION.**

**WHEREAS, emergency medical service is a vital public service; and**

**WHEREAS, emergency medical service teams of the Edina Police and Fire Departments are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and**

**WHEREAS, access to quality emergency care dramatically improves the survival rate and recovery rate of those who experience sudden illness or injury; and**

**WHEREAS, emergency medical service providers have traditionally served as the safety net of America's health care system; and**

**WHEREAS, emergency medical service responders of the Edina Fire and Police departments engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and**

**WHEREAS, the citizens of the City of Edina benefit daily from the knowledge and skills of these highly trained individuals; and**

**WHEREAS, injury prevention and the appropriate use of the Emergency Medical Service System will help reduce health care cost; and**

**WHEREAS, it is appropriate to recognize the value and the accomplishments of the Edina Police and Edina Fire emergency medical personnel who serve to protect us;**

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NOW, THEREFORE, BE IT RESOLVED that we, the Edina City Council, do hereby acknowledge the week of May 18-24, 2003, as:

**"Emergency Medical Services Week"**

in the City of Edina, in honor and recognition of the valuable contributions made by the Edina Emergency Medical Service Providers to the health and well-being of our citizens. Member Masica seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

**\*MINUTES OF THE REGULAR MEETING OF MAY 6, 2003, AND SPECIAL WORK SESSION OF MAY 6, 2003, APPROVED** Motion made by Member Housh and seconded by Member Masica, approving the Minutes of the Regular Meeting of the Edina City Council for May 6, 2003, and Special Work Session of May 6, 2003.

Motion carried on rollcall vote – four ayes.

**\*VACATION OF PORTION OF XERXES AVENUE SOUTH CONTINUED TO JULY 15, 2003** Motion made by Member Housh and seconded by Member Masica, approving the continuation of the vacation of a portion of Xerxes Avenue South to Regular Council meeting of July 15, 2003.

Motion carried on rollcall vote – four ayes.

**FIRST READING GRANTED ON ORDINANCE NO 2003-06, AMENDING SECTION 850 ALLOWING EXCEPTIONS TO RESIDENTIAL FRONT YARD SETBACKS** Affidavits of Notice were presented, approved and ordered placed on file.

Presentation by Planner:

Planner Larsen explained that the Planning Commission had reviewed an amendment to the zoning code to allow covered front porches and entries that would be supported by columns within the required front and side setbacks. Mr. Larsen reported the Planning Commission's consensus was not to recommend any change to the City's current approach. He said that they felt most variance would be approved, but still wanted the Zoning Board to review and approve each variance. After this review staff decided to wait and monitor the situation for a period of time.

Mr. Larsen stated that covered front entries have continued to be popular and most need a variance. He noted that within the last seven months, the Zoning Board has only denied one variance request for a covered front entry and that particular case would still require a variance with the amendment proposed by staff.

Mr. Larsen said that staff was recommending adoption of the proposed amendment for the following reasons:

- Front entry additions can add architectural interest at a modest cost
- Front entry additions improve safety by protecting entries from snow and ice

- An un-enclosed porch does not contribute significantly to the mass of the principal structure
- Since under the present zoning code the Zoning Board of Appeals approves virtually all requested variances, the City was in essence, selling variances.

Member Hovland commented that granting all requesting variances seemed to be undercutting the existing standard, therefore perhaps the standard needed to be revised.

Member Masica stated that setting 80 square feet as the maximum front entry seemed somewhat arbitrary and perhaps some percentage should be considered. Mr. Larsen explained that 95% of the requested variance for front entries would be less than 80 square feet. He added that any front entry exceeding 80 square feet would still be able to apply for a variance to allow a larger entry. Mr. Larsen also said that administratively using a fixed size and setback would allow better administration of the code.

Mayor Maetzold called for public comment. No one appeared.

**Member Hovland made a motion to close the public hearing.** Member Housh seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold  
Motion carried.

**Member Hovland made a motion granting First Reading to Ordinance No. 2003-06 amending Subsection 850.07 Subd 6 of Section 850 of the Edina City Code by adding a new paragraph "O" that would allow unenclosed front entries supported by columns.** Member Housh seconded the motion.

Rollcall:  
Ayes: Housh, Hovland, Masica, Maetzold  
Motion carried.

**\*BID AWARDED FOR PARK DEPARTMENT MATERIAL HANDLING BOOM LOADER AND BOX** Motion made by Member Housh and seconded by Member Masica for Award of Bid for Park Department material handling boom loader and box to recommended low bidder, Aspen Equipment at \$37,113.12.

Motion carried on rollcall vote – four ayes.

**PUBLIC HEARING HELD - LIQUOR LICENSE AMENDMENT APPROVED - TEJAS RESTAURANT** Affidavits of Notice were presented, approved and ordered placed on file.

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Manager Hughes explained that Tejas Restaurant applied for a permit to operate an outdoor dining area in the vicinity of the rear entrance of their restaurant at 50<sup>th</sup> & France. In order to operate a dining area on a public walkway, a "sidewalk café" permit must be obtained. Mr. Hughes noted that the permit could be approved administratively. Following staff review of the application, it was found that the Tejas dining area complied with Ordinance requirements and other standards and therefore an administrative permit could be issued.

Mr. Hughes added that Tejas desired to serve alcoholic beverages within the outdoor dining area. Since this would constitute a change to the licensed premises the Council must grant an amendment to Tejas' liquor license to expand the licensed premises. He said that Edina City Code required a licensed premises to have a physical barrier separating it from other areas to prevent the passing of patrons, other than through the required entrances/exits. Mr. Hughes stated Tejas proposed providing planter boxes to separate the dining area from the public walkway along with signage, directing patrons to an employee inside the restaurant in order to be seated at the outdoor area. He noted several other restaurants use this method for their outdoor dining areas. Mr. Hughes concluded that staff would recommend the liquor license for Tejas be amended to expand the licensed premises to include the seasonal outdoor dining area, based upon review of the proposal.

Member Housh asked if granting the requested amendment would place more of a burden on the Police Department, whether the liquor license would be adjusted because of the increased seating for the establishment, and if there were any other licensees with similar outdoor seating. Mr. Hughes explained: Edina's Liquor License fees were not based upon capacity, there were other restaurants licensed to serve liquor with outdoor seating, however, Tejas would be the only one on a public sidewalk, and the Police Department did not feel granting the permit would be an additional burden. Mr. Hughes pointed out that since Edina had added on-sale intoxicating liquor and began their first compliance checks in 1999, Tejas had not had a violation.

Mayor Maetzold explained that businesses serving liquor were periodically checked for compliance with state and local liquor laws. He applauded Tejas' exemplary record.

Member Masica asked for more information about the gaps between the planter boxes, the distance to the parking ramp, and also the proposed hours of the outdoor seating.

Wayne Kostroski, 4815 Maple Road, and co-owner of Tejas Restaurant, explained that the planter boxes would all be joined together. Mr. Kostroski explained the seating was quite a distance from the ramp, and the outdoor seating would be open the same hours as the indoor seating.

Member Hovland commented that this would be a positive addition to Edina's downtown area.

Member Masica indicated the rarity of an owner/operator being as responsible as Mr. Kostrosi. She stated her support of the proposal.

Mayor Maetzold asked for comments from the public. No one appeared to comment.

**Member Hovland made a motion to close the public hearing, seconded by Member Housh.**

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

**Member Masica made a motion approving the amendment to the liquor license for Tejas Restaurant allowing the seating capacity expansion as depicted in the sidewalk café application.**

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

**\*PUBLIC HEARING DATE SET OF JUNE 3, 2003, FOR AMENDMENT TO RUBY TUESDAY'S LIQUOR LICENSE Motion made by Member Housh and seconded by Member Masica setting June 3, 2003, as hearing date for an amendment to Ruby Tuesday's Liquor License.**

Motion carried on rollcall vote – four ayes.

**\*PUBLIC HEARING DATE SET OF JUNE 3, 2003, FOR LIQUOR LICENSE TRANSFER – D'AMICO AND SONS RESTAURANT Motion made by Member Housh and seconded by Member Masica setting June 3, 2003, as hearing date for liquor license transfer of D'Amico and Sons Restaurant.**

Motion carried on rollcall vote – four ayes.

**TRAFFIC SAFETY STAFF REVIEW OF MAY 13, 2003, APPROVED** Engineer Houle indicated in August of 2002, the Council requested staff to analyze pedestrian crosswalks and the current policy on markings of these crosswalks. Staff acquired a consultant, Tom Sohrweide of SHE, Inc., who analyzed the following crosswalks:

- Valley View Road and Concord Avenue
- 66<sup>th</sup> Street and West Shore Drive
- 70<sup>th</sup> Street and West Shore Drive
- 69<sup>th</sup> Street, 70<sup>th</sup> Street and Hazelton Road between France Avenue and York Avenue
- Halifax Avenue just north of West 50<sup>th</sup> Street
- Halifax Avenue and West 51<sup>st</sup> Street

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Mr. Sohrweide's report proposed revisions to the current "Pedestrian Crosswalks Traffic Policy:

### Vehicle Gap Time:

- Total number of gaps between vehicular traffic (equal to or exceed required pedestrian crossing time of three feet/second) recorded during average five minute period in the 'Peak Hour'
- More than five gaps - Pavement markings and signage only
- Four to five gaps - Add activated pedestal mounted flasher. Add overhead mounted flasher if roadway is over 40 feet wide
- Less than three gaps - Add activated overhead mounted flasher

### Typical Cost for Overhead Warning Flasher:

- \$50,000 to \$80,000

### Staff Recommends Approval of:

- Policy revision
- Include new crosswalk upgrades with next Capital Improvement Plan

### Proposing for 51<sup>st</sup> Street and Halifax Crosswalk and Sidewalk:

- Sidewalk along northerly and easterly side of West 51<sup>st</sup> Street and Halifax Avenue
- Marked crosswalk with overhead warning flashers at West 51<sup>st</sup> Street and Halifax Avenue
- Petitioned in June of 2002 by 50 residents

Staff recommends acceptance of proposed marked crosswalks and sidewalks along West 51<sup>st</sup> Street and Halifax Avenue.

Wayne Kostroski, 4815 Maple Road, suggested that explicit language be affixed to pedestrian crosswalk signage stating that the law regarding crosswalks is strictly enforced.

**Member Kelly made a motion approving the Traffic Safety Staff Review of May 13, 2003, Section A:**

- 1. Installation of a marked crosswalk connecting the southeast corner of the intersection at 44<sup>th</sup> Street and Wooddale Avenue with the northeast corner - creating sidewalks on both sides;**
- 2. Acceptance of the proposal for a crosswalk and sidewalk at West 51<sup>st</sup> Street and Halifax Avenue with added amplification signalization; and**
- 3. Adopting the revised Pedestrian Crosswalk Traffic Policy and direct staff to include upgrading any crosswalks that now meet these warrants in the next Capital Improvement Plan; and**

**Section B and C.** Member Masica seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

**CHANGE ORDER CONTRACT 02-03 (ENGINEERING) FOR VALLEY VIEW ROAD AND T.H. 62 INTERCHANGE**

Engineer Houle explained late last summer, the contractor discovered additional organic material below the existing freeway and off-ramp at Valley View Road and T.H. 62 Interchange. Due to the unstable conditions of the organic material, the Engineer, MnDOT, the contractor and staff agreed to temporarily pave the off-ramp for the winter months and analyze different options in order to complete the work in the summer. After consulting with soil engineers and MnDOT, staff agreed to utilize a lightweight fill to accomplish this work. The material will be a geofoam material that will be placed over the organic materials and be able to carry the required traffic loads through the area.

Mr. Houle said the proposed change order would increase the total cost of the project by \$210,000. The total change orders to date, which include the temporary off-ramp construction is \$270,000. The original contract for the project was \$1,574,116.06. The cost of the project is funded by gas tax funds as provided by the Municipal State Aid Program and by special assessments. Final completion of this project is projected to be July 31, 2003. Staff recommends approving these change orders.

Following a brief Council discussion, **Member Hovland made a motion approving the change order for additional eastbound TH-62 off-ramp work at Valley View Road and West 65<sup>th</sup> Street (Contract No. 02-03 ENG) intersection improvements, in the amount of \$210,00.00.** Member Housh seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold  
Motion carried.

**I-494/I-35W INTERCHANGE UPDATE PRESENTED BY MnDOT**

Tom O'Keefe, Division Area Manager for MnDOT presented a video depiction of the proposed interchange improvements located at I-494 and I-35W. He introduced Chris Roy, Hennepin County Area Engineer who would be available to answer questions. Construction on the interchange would begin in an undetermined year after 2012 and last for approximately three years.

Council briefly discussed the various interchanges and thanked MnDOT for their interesting presentation.

No formal Council action was taken.

**BUSINESS PLAN UPDATES PRESENTED**

Manager Hughes said the Business Plan Updates were held over to allow the Council to further review the Plan. He offered a more in depth presentation by the facility managers, if the Council wanted this to be scheduled. Mr. Hughes stated that staff had expended a great deal of time and effort a few years ago and this Plan is a checklist of how well the Plan is being followed.

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Mr. Housh questioned whether the facts stating the City lost dollars in 2002 with golf operations after debt service was factored in. Assistant Manager Anderson said yes that was true and some cash proceeds from capital expenditures were paid down. The Investment Advisory Committee made the decision to go through with some projects despite having a bad year and still having a positive cash balance. Mr. Housh asked for more information about the Pepsi contract. Mr. Anderson explained an incentive was paid for a multi-year contract with Pepsi paying the City approximately \$100,000. The Pepsi funds were then funneled to each facility according to their previous year's sales, i.e. Braemar Golf Course used their funds for an additional beverage cart to further increase their sales. Mr. Housh said in 2009 the debt service drops significantly. Mr. Anderson responded that the Braemar Golf Course, Golf Range, and Dome drops off the debt service in 2009. He added the only thing outstanding in 2009 would be the Fred Richards Golf Course and new Braemar Nine-Hole Course. Mr. Housh asked if staff was comfortable with the level of debt service. Mr. Anderson said that 2002 was an aberrant year and 2003 looks much better.

Member Masica questioned why the majority of the membership of the Art Center is made up of non-residents. Mr. Hughes said there is some concern, as the Bloomington Art Center will re-open with a state of the art facility soon. In the past, a member/non-member fee structure was adjusted but no appreciable change in membership was noted. The Edina Art Center may be different in that it is run by artists and may attract more artists. Ms. Masica inquired whether the Center should be promoted within the community. Mr. Hughes said the Art Center generates more press releases to the Sun-Current than the other City facilities. Mr. Housh asked if the types of classes offered at the Center are duplicated within the School District. Mr. Hughes said more through the Schools. The Senior Center Art offerings are under the auspices of the Edina Art Center. Mr. Housh suggested a meeting/discussion be held with Council Members and School Board Members on this topic. Mr. Hughes said he believed that non-resident use was not at the expense of Edina residents. He further stated a joint meeting between Council Members and the School Board would be beneficial.

No formal Council action was taken.

**\*RESOLUTION 2003-39 ADOPTED SETTING JUNE 17, 2003 HEARING DATE FOR CONSIDERATION OF VACATION OF RIGHT-OF-WAY (5411 ABBOTT PLACE)**  
Member Housh introduced the following resolution and seconded by Member Masica, moved its approval:

**RESOLUTION NO. 2003-39  
CALLING FOR PUBLIC HEARING ON VACATION  
PUBLIC RIGHT-OF-WAY**

**BE IT RESOLVED by the City Council of the City of Edina as follows:**



1. It is hereby found and determined that the following described property should be considered for vacation in accordance with the provisions of Minnesota Statutes, Section 160.29 and 462.348, Subd. 7:
2. This Council shall meet at 7:00 P.M. on the 17<sup>th</sup> day of June 2003, for the purpose of holding a public hearing on whether such vacation shall be made in the interest of the public.
3. The City Clerk is authorized and directed to cause notice of said hearing to be published once a week for two weeks in the Edina Sun-Current, the official newspaper of the City, to post such notice, in at least three public and conspicuous places, as provided in Minnesota Statutes. Such notice shall be in substantially the following form:

(Official Publication)  
CITY OF EDINA  
4801 WEST 50<sup>TH</sup> STREET  
EDINA, MINNESOTA 55424  
NOTICE OF PUBLIC HEARING ON  
VACATION OF RIGHT-OF-WAY EASEMENT  
IN THE CITY OF EDINA  
HENNEPIN COUNTY MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Minnesota will meet on June 17, 2003, at 7:00 P.M. in the Council Chambers at 4801 West 50th Street for a public right-of-way easements to be vacated:

All that part of the existing platted pathway lying adjacent to and northerly of the north line of Lot 7 and easterly of the easterly right-of-way of Abbot Place and westerly of Minnehaha Creek all in Block 2, White Investment Company's Hidden Valley, Hennepin County, MN

All persons who desire to be heard with respect to the question of whether or not the above proposed street right of way and utility and drainage vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL  
Debra A. Mangen, City Clerk

**Passed and adopted this 20<sup>th</sup> day of May 2003.**

Motion carried on rollcall vote – four ayes.

**\*CONFIRMATION OF CLAIMS PAID** Member Housh made a motion and Member Masica seconded the motion approving payment of the following claims as shown in detail on the Check Register dated May 8, 2003, and consisting of 37 pages: General Fund \$152,824.31; CDBG Fund \$4,170.00; Communications Fund \$2,370.89; Working Capital Fund \$37,029.60; Construction Fund \$187.00; Art Center Fund \$6,143.37; Golf Dome Fund \$10,853.30; Aquatic Center Fund \$3,519.00; Golf Course Fund \$25,780.37; Ice Arena Fund \$15,994.11; Edinborough/Centennial Lakes Fund \$8,095.95; Liquor Fund \$144,995.59; Utility Fund \$16,587.84; Storm Sewer Fund \$1,861.40; TOTAL \$430,412.73; and for approval of payment of claims dated May 15, 2003, and consisting of 31 pages: General Fund \$226,834.24; Communications Fund \$9,467.28; Working Capital Fund \$5,734.83; Construction Fund \$238,493.19; Art Center Fund \$266.98; Golf Dome Fund \$32.58; Aquatic Center Fund \$6,268.00; Golf Course Fund \$26,645.22; Ice Arena Fund \$2,173.75; Edinborough/Centennial Lakes Fund \$18,169.40; Liquor Fund \$136,086.99; Utility Fund \$403,328.17; Storm Sewer Fund \$5,458.50; Recycling Fund \$31,738.70; Payroll Fund \$365,000.00; TOTAL \$1,475,697.83.

Motion carried on rollcall vote – four ayes.

**PETITION RECEIVED FOR NOISE ABATEMENT ON HIGHWAY 62 FROM 6301 COLONIAL COURT TO 6327 VALLEY VIEW ROAD** Member Masica explained her question about the petition for sixteen properties on Valley View Road, Hillside Road, Westridge Boulevard and Colonial Court, requesting noise abatement along Highway 62 and between 6301 Colonial Court and 6327 Valley View Road, was answered after she removed the item from the consent agenda.

**Member Masica made a motion acknowledging receipt of a petition for noise abatement on Highway 62 from 6301 Colonial Court to 6327 Valley View Road and to refer the petition to Engineering for processing as to feasibility.** Member Hovland seconded the motion.

Motion carried on rollcall vote - five ayes.

**CONCERN OF RESIDENTS** Mayor Maetzold and Member Kelly explained the Edina Local Traffic Task Force presentation at the May 6, 2003, resulted in the Council accepting the report, adopting only the framework proposed by the Task Force for looking at issues and charging staff with the task of formulating an ad hoc committee to implement the findings of the Task Force.

Following the explanation, Gary Eidson, 4604 Wooddale Avenue, maintained that a number of residents still wanted to speak and voice their concern and objections to the portion of the report that specifically dealt with Wooddale Avenue.

Residents voicing objections to the report were: Keith Wolf, 4600 Wooddale Avenue; Max Wolf, 4600 Wooddale Avenue; Maddie Conway, 4607 Wooddale Avenue; Susan Burnett; 4514 Wooddale Avenue; Alex Ware, 4403 Country Club Road; Craig Bentall, 4505 Wooddale Avenue; Sheryl Karlson, 4513 Wooddale Avenue; Lynn Wagner, 4506 Wooddale Avenue; John Trauts, 4509 Edina Boulevard; and Becky Briggs, Browndale Avenue. Residents comments were: concern for safety and well-being of mobile children; stop traffic – dangerous for kids to retrieve ball if it goes into the street; street is already too busy, do not add more traffic; SRF study concluded there is a problem and traffic calming is necessary; another study could be undertaken; oppose making any street in northwest quadrant of the City a collector street; character of area will change; too dangerous to trick or treat or have a lemonade stand; financial impact will have a negative effect; an outside consultant and a resident task force should work in tandem on the problem; Historic Register for Community Planning, Architecture and Landscape Architecture states – ‘aesthetic benefits must be maintained’, to preserve facades and streetscapes, original qualities must not be damaged or destroyed or alteration of any feature avoided, City develop plan for preservation of streets/trees, sidewalks and open space areas giving area distinguishing character; Task Force identified three problems in northeast Edina – unacceptable speeds, narrow streets and on-street parking and potential for redevelopment on Excelsior boulevard in St. Louis Park; City should divert traffic rather than make it easier; do not want Wooddale to be an alternative route for Hwy 100 or France Avenue; and use the under utilized streets.

**CONCERN OF RESIDENT** Roberta Castellano, 4854 France Avenue South, asked the status of the lighting project in the White Oaks neighborhood. Mr. Houle said the Task Force met with ten people attending. Originally traditional lights were proposed, neighbors said they wanted an acorn type light. Mr. Houle said a sample of the acorn lights are on display in the foyer of City Hall. Feedback from the neighborhood is positive on the acorn lights.

Ms. Castellano showed photos of her area and how lights are reflected into her home. While she agrees some lighting is necessary she voiced concern with the way it would affect her home. She suggested the Council establish criteria for future lighting projects.

Member Kelly explained in order to keep City processes efficient, the neighborhood meetings are the appropriate forum for this type of discussion.

After a lengthy presentation, Mayor Maetzold encouraged Ms. Castellano to write a letter to the Council pointing out her agreements/disagreements with the lighting plan for the neighborhood.

**CONCERN OF RESIDENT** Mayor Maetzold indicated correspondence was received from John Schwappach, 5216 Duncraig Road, by way of electronic mail stating his concern with where the cellular tower at Highland Park is being placed. Other

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correspondence received via e-mail voicing concern over the cellular tower location were received from: Kevin Staunton, resident of Highlands neighborhood; Kyle Roling, 5260 Lochloy Drive; and Victor Walker 5256 Lochloy Drive.

Assistant Manager Anderson gave background information on the cellular tower and explained that last fall a proposal was presented by VoiceStream to install an antenna on a light standard at the southeast corner of the hockey rink at Highlands Park. The Council approved the concept and a lease was drawn up and executed. Payment for a full year of the lease was received, a building permit was drawn and block work was to begin May 21, 2003. Following examination of the site by the Park Director, Park Superintendent, and himself, the consensus was that the proposed placement of the antenna was in the appropriate location.

No formal Council action was taken.

**APPOINTMENT TO ART CENTER BOARD** Mayor Maetzold noted that Delores Paul had moved out of Edina and resigned from the Art Center Board. He said he intended to appoint Ken Rosland to complete Ms. Paul's term, which will expire February 1, 2004. **Mayor Maetzold moved to appoint Ken Rosland to the Edina Art Center Board to a term expiring February 1, 2004.** Member Masica seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

There being no further business on the Council Agenda, Mayor Maetzold declared the meeting adjourned at 10:35 P.M.

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City Clerk